

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60138 of 2023

Arising Out of PS. Case No.-35 Year-2023 Thana- MATIYARIA District- West Champaran

AHMAD ALI ANSARI @ AHMAD ANSARI son of Late Ali Hasan Miya
Village- Sirisiya Ps- Matiyaria Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Gupta
For the Opposite Party/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 06-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case instituted for the offence under Sections 376, 511 of the Indian Penal Code, Sections 4 and 6 of the POCSO and Sections 3(i)(r) (w) of the SC/ST Act.

3. The allegation against the petitioner is of trying to commit rape upon the minor daughter of the informant.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. He submitted that the entire allegations as levelled against the petitioner is false and fabricated and there is no iota of truth in it. This false and fabricated case has been brought to grab the borrowed money Rs. 36,000/- which has



been earlier taken by the informant now she is denying to return same to the petitioner. He further submitted that the husband of the informant took Rs. 36,000/- since long from the petitioner for the treatment of the informant after 5 months ago when the husband of the informant come from outside with money so petitioner made demand for his money upon the husband of the informant stated making pretext and repeated demand to the informant brought this false case against the petitioner to put undue upon the petitioner so that money can be grabbed. There is no complaint with regard to physical assault, sexual abuse against the petitioner to the victim girl. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 25.05.2023.

5. The application for bail is opposed by learned APP for the State and submitted that the victim in her statement recorded u/s 164 of the Cr.P.C. has supported the prosecution case.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. The above named petitioner is directed to be enlarged on bail on furnishing



bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-VII-cum-Spl. Judge, POCSO Act, Bettiah, West Champaran in connection with Matiyaria P.S. Case No. 35 of 2023.

(Sunil Kumar Panwar, J)

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